REMARKS

The Examiner is respectfully thanked for the thoughtful consideration provided to this application. Reconsideration of this application is respectfully requested in light of the foregoing amendments and the following remarks.

Each of claims 1-4, 6, 12, 13, 15, 18, 21, 22, 27, 28, 30, 33, 35, 36, 37, 42, 43, 45, 47, 48, 50, and 51-58 was amended solely for reasons unrelated to patentability, including at least one of: to explicitly present one or more elements implicit in the claim as originally written when viewed in light of the specification thereby not narrowing the scope of the claim, to detect infringement more easily, to enlarge the scope of infringement, to cover different kinds of infringement (direct, indirect, contributory, induced, and/or importation, etc.), to expedite the issuance of a claim of particular current licensing interest, to target the claim to a party currently interested in licensing certain embodiments, to enlarge the royalty base of the claim, to cover a particular product or person in the marketplace, and/or to target the claim to a particular industry. Claims 26, 29, 41, and 44 have been cancelled without prejudice or disclaimer. Claims 59-62 have been added. Claims 1-25, 27, 28, 30-40, 42, 43, and 45-60 are now pending in this application. Claims 1, 13, 21, 36, and 51 are the independent claims.

I. The Obviousness Rejections

Claims 1-58 were rejected under 35 U.S.C. § 103(a) as being unpatentable over various combinations of Koppolu (U.S. Patent No. 6,460,058) in view of Bonet (U.S. Patent No. 6,564,242). These rejections are respectfully traversed.

None of the cited references, either alone or in any combination, establish a *prima facie* case of obviousness. "To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally,

the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure." See MPEP § 2143.

Koppolu allegedly recites when "the moniker 120 can look in the **running objects** table ... [I]**f the object exists,** the moniker 120 can simply **return an interface pointer of the existing object** to the client 104, **and thus avoid creating the object again**". See col. 15 lines 60-63.

Each of independent claims 1, 13, 21, 36, and 51 recite "determining that said specific instance **is not registered" with a "second operating system"** and that the "specific instance is **already running under a first operating system**" and "**utilizing a moniker, registering**" the "specific instance" **with the "second operating system.**"

Koppolu does not expressly or inherently teach or suggest "determining that said specific instance is not registered" with a "second operating system" and that the "specific instance is already running under a first operating system" and "utilizing a moniker, registering" the "specific instance" with the "second operating system." Bonet does not overcome the deficiencies of Koppolu.

Thus, even if there were motivation or suggestion to modify or combine the cited references (an assumption with which the applicant disagrees), and even if there were a reasonable expectation of success in combining or modify the cited references (another assumption with which the applicant disagrees), the cited references still do not expressly or inherently teach or suggest **every** limitation of the independent claims, and consequently fail to establish a *prima facie* case of obviousness.

Because no *prima facie* rejection of any independent claim has been presented, no *prima facie* rejection of any dependent claim can be properly asserted. Consequently, reconsideration and withdrawal of these rejections is respectfully requested.

II. Allowable Subject Matter

The following is a statement of reasons for the indication of allowable subject matter:

"none of the references of record alone or in combination disclose or suggest the combination of limitations found in the independent claims. Namely,

claims 1-12 are allowable because none of the references of record alone or in combination disclose or suggest 'determining that said specific instance is not registered with said second operating system and that said specific instance is already running under said first operating system; and utilizing a moniker, automatically registering said specific instance with said second operating system';

claims 13-20 are allowable because none of the references of record alone or in combination disclose or suggest 'determining that said specific instance is not registered in a running object table of said second operating system and that said specific instance is already running under said first operating system; and utilizing a moniker, registering said specific instance with said second operating system';

claims 21-25, 27, 28, 30-35, 59, and 60 are allowable because none of the references of record alone or in combination disclose or suggest 'a processor adapted to: register said specific instance with said first operating system; and via a moniker, provide access to said specific instance via a personal computer comprising a second operating system such that said specific instance of said object is accessible by a server associated with said personal computer by accessing a running objects table of said second operating system';

claims 36-40, 42, 43, 45-50, 61, and 62 are allowable because none of the references of record alone or in combination disclose or suggest 'processor means adapted to: register said specific instance with said first operating system; and via

a moniker, provide access to said specific instance via a personal computer comprising a second operating system such that said specific instance of said object is accessible by a server associated with said personal computer by accessing a running objects table of said second operating system'; and claims 51-58 are each allowable because none of the references of record alone or in combination disclose or suggest 'determining that said specific instance is not registered in a running object table of said second operating system and that said specific instance is already running under said first operating system; and utilizing a moniker, registering said specific instance with said second operating system.'"

CONCLUSION

It is respectfully submitted that, in view of the foregoing amendments and remarks, the application as amended is in clear condition for allowance. Reconsideration, withdrawal of all grounds of rejection, and issuance of a Notice of Allowance are earnestly solicited.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. §1.16 or §1.17 to Deposit Account No. 50-2504. The Examiner is invited to contact the undersigned at 434-972-9988 to discuss any matter regarding this application.

Respectfully submitted,

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